

SENATE JOINT RESOLUTION 519

By Cohen

A RESOLUTION relative to dually eligible beneficiaries under the Medicare Modernization Act, Part D.

WHEREAS, the State of Tennessee values the public health and welfare of its senior citizens, many of whom are dually eligible beneficiaries under Medicare and Medicaid; and

WHEREAS, over the course of the last several days, the systems used by the federal government to process prescription benefits under Part D of Medicare for dually eligible beneficiaries have failed; and

WHEREAS, pharmacies across the Nation have been unable to correctly process the sale of covered prescription drugs to dually eligible beneficiaries; and

WHEREAS, many dually eligible beneficiaries have been unable to obtain medications that are necessary for their health, welfare, and safety; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that we hereby urge the Governor to provide supplemental assistance with the purchase of drugs and other pharmaceutical services, which are available to all persons who are eligible for benefits under both Medicaid and Medicare. The supplemental pharmacy assistance should be designed to provide temporary aid during the period of transition to the new pharmacy benefit under Part D of the federal Medicare program.

BE IT FURTHER RESOLVED, that we strongly urge the Governor to provide safety net coverage for medically needy disenrollees of TennCare until such time as the current operational problems with Part D of the Medicare program have been remedied.

BE IT FURTHER RESOLVED, that the Commissioner of Finance and Administration is urged, to the extent possible, to seek reimbursement from the Medicare preferred drug plans

and from Medicare, Medicaid, or any other federal program for the expenditures incurred by the State of Tennessee in the provision of the supplemental pharmacy assistance. The Department of Finance and Administration should seek reimbursement from persons receiving assistance for the costs of the pharmaceutical services to the extent they otherwise would have had to pay if provided benefits under Medicare.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be transmitted to the Honorable Phil Bredesen, Governor of the State of Tennessee, and the Commissioner of Finance and Administration.